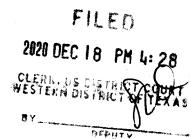
IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION



CANADIAN STANDARDS
ASSOCIATION, AN AGENCY OF
THE GOVERNMENT OF CANADA,
PLAINTIFF,

V.
CAUSE NO. A:20-CV-001160-LY
P.S. KNIGHT CO., LTD, P.S. KNIGHT
AMERICAS, INC., AND
GORDON KNIGHT,
DEFENDANTS.

ORDER

Before the court in the above styled and numbered cause is Defendant *pro se* P.S. Knight Americas, Inc.'s Motion to Dismiss filed December 14, 2020 (Doc. #15). The motion is signed by Gordon Knight.

To proceed in federal court, a business must be represented by an attorney. See Rowland v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 201-02 (1993). "It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel." Id.; see Donovan v. Road Rangers Country Junction, Inc., 736 F.2d 1004, 1005 (5th Cir. 1984) (per curiam) (quoting K.M.A., Inc. v. General Motors Acceptance Corp., 652 F.2d 398, 399 (5th Cir. 1982) ("corporation cannot appear in federal court unless represented by a licensed attorney."); see also King v. Allegiance Mgmt., LLC, 2010 WL 2245062, No. A-09-CA-317 LY, at *1 (W.D. Tex. June 4, 2010) (applying principle that corporate entities may not proceed pro se in context of an LLC).

Having considered the motion, the case file, and the applicable law, the court hereby informs

Knight that although he may represent himself in this action *pro se*, he cannot represent either

Defendant P.S. Knight Co., Ltd. or Defendant P.S. Knight Americas, Inc., which are each corporate entities. The court will allow a period of time for P.S. Knight Americas, Inc. to secure counsel before rendering any orders related to a request, if any, from Plaintiff Canadian Standards Association for a default judgment. *See Memon v. Allied DOMECQ QSR*, 385 F.3d 871, 874 (5th Cir. 2004).

IT IS ORDERED that Defendant *pro se* P.S. Knight Americas, Inc.'s Motion to Dismiss filed December 14, 2020 (Doc. #15) is **DISMISSED WITHOUT PREJUDICE.**

Defendant P.S. Knight Americas, Inc. is **HEREBY WARNED** that it may not proceed in this action without an attorney.

IT IS FURTHER ORDERED that P.S. Knight Americas, Inc. shall file a designation of counsel with the court on or before Friday, February 5, 2021.

Defendant P.S. Knight Americas, Inc. is admonished that failure to designate counsel by the court's deadline may result in rendition of default judgment and an award of damages or relief in favor of Plaintiff Canadian Standards Association.

The clerk of court shall send a copy of this order by mail and fax to Gordon Knight, Corporate Representative, P.S. Knight Americas, Inc., 6055 Red Day Road, Martinsville, IN, 46151, phone number: (403) 648-2908, fax number: (403) 648-2909

SIGNED this _____ day of December, 2020.

UNITED STATES DISTRICT JUDGE

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